

EXECUTIVE CHAMBERS

HONOLULU

July 10, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 755

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 755, entitled "A Bill for an Act Relating to County Ethics Commissions."

The purpose of this bill is to direct counties to set forth, by county ordinance, a process by which county ethics commissioners will be selected by an independent body in the interest of ensuring sufficient independence and impartiality.

This bill is objectionable because it presumes that only one model, the State's model, is the only way to select independent and impartial county ethics commissioners. In addition, the bill establishes a criteria upon which commissioners are to be selected that is vague.

Further, the bill requires that the process be "set forth by county ordinance," which is problematic because it conflicts with existing county laws that require each of the county ethics commissions and the process for appointing commissions' members to be established by charter. As a result, each of the counties' charters would have to be amended to implement this bill's requirement that the appointment process be set forth by ordinance. This is an inappropriate and unnecessary infringement on county home rule.

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For the foregoing reasons, I am returning Senate Bill
No. 755 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Linda Lingle", written in a cursive style.

LINDA LINGLE
Governor of Hawaii